

AHDOOT & WOLFSON, PC
Tina Wolfson (SBN 174806)
twolfson@ahdootwolfson.com
Robert Ahdoot (SBN 172098)
rahdoot@ahdootwolfson.com
10728 Lindbrook Drive
Los Angeles, California 90024
(310) 474-9111; Fax: (310) 474-8585

DAVIS WRIGHT TREMAINE LLP
Sean M. Sullivan (SBN 229104)
seansullivan@dwt.com
865 South Figueroa Street, 24th Floor
Los Angeles, California 90017-2566
Tel: (213) 633-6800; Fax: (213) 633
6899

FINKELSTEIN & KRINSK LLP
Jeffrey R. Krinsk, Esq. (SBN 109234)
jk@classactionlaw.com
Trenton R. Kashima, Esq. (SBN 291405)
trk@classactionlaw.com
550 West C Street, Suite 1760
San Diego, California 92101
Tel: (619) 238-1333; Fax: (619) 238-542

Counsel for Plaintiffs and Proposed Classes

DAVIS WRIGHT TREMAINE LLP
Zana Bugaighis (SBN 257926)
zanabugaighis@dwt.com
1201 Third Avenue, Suite 2200
Seattle, Washington 98101-3045
Tel: (206) 622-3150; Fax: (206) 757-770

*Attorneys for Defendants General
Centers, Inc. and GNC Holdings, Inc.
(erroneously named as General Holdings,
Inc.)*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JENNA KASKORKIS and KIM
CARTER, individually and on behalf
of all other similarly situated,

Plaintiffs,

V.

GENERAL NUTRITION
CENTERS, INC., a Delaware
Corporation, GENERAL
HOLDINGS, INC., a Delaware
Corporation,

Defendants.

Case No. 3:16-cv-00990-WQH-AGS

JUDGE: William Q. Hayes

JOINT STATUS REPORT

Filed: April 22, 2016

1 Pursuant to the Court's March 4, 2019, Order (Dkt. No. 107), Plaintiffs Jenna
2 Kaskorkis and Kim Carter ("Plaintiffs"), and Defendants General Nutrition Centers,
3 Inc. and GNC Holdings, Inc. (erroneously named as General Holdings, Inc.)
4 ("Defendants"), by and through their respective counsel, submit this Joint Status
5 Report and plan for the resolution of this action, and state as follows:

6 1. On March 4, 2019, the Court entered an Order approving the parties'
7 joint stipulation requesting a stay in this matter so they could continue to finalize the
8 full settlement agreement of which they had exchanged drafts. *See* Dkt. No. 107. In
9 that Order, the Court stayed this matter until March 28, 2019, and directed the parties
10 to, on or before March 28, 2019, file any motions for preliminary approval, or a joint
11 status report proposing a plan for the efficient resolution of this action. The Court
12 also stated that it would not consider further extensions absent a substantive showing
13 of good cause or excusable neglect.

14 2. Accordingly, the parties report that they have have continued to work
15 diligently and cooperatively and have made substantial additional progress toward a
16 settlement. In particular, the parties have reached agreement on all material points
17 of the settlement and have a near final settlement agreement. In addition, the parties
18 are in the process of soliciting and reviewing bids from settlement administrators for
19 administering the settlement. The parties have held multiple telephone conferences
20 to discuss the remaining details of the settlement and are also in the process of
21 finalizing the forms of the class notice, claim form (which they expect to fully finalize
22 with a notice administration expert), preliminary approval order, and final approval
23 order.

24 3. The parties anticipate that as part of the settlement, they will be moving
25 to file a consolidated amended complaint in the action pending in Western District
26 of Pennsylvania, *Gennock v. General Nutrition Centers, Inc. and GNC Holdings,*
27 *Inc.*, No. 2:16-cv-00633-MRH (W.D. Pa.), and seeking to stay this and the other

1 action pending before this court, *Harrison v. General Nutrition Centers, Inc. and*
2 *GNC Holdings, Inc.*, No. 3:16-cv-03086-WQH-AGS (S.D. Cal.). The parties have
3 agreed to dismiss this and the *Harrison* action in the event and once a Judgment
4 finally approving the Settlement (filed in the *Gennock* action) is Final (*i.e.* past any
5 challenges).

6 4. The parties expect to file the Settlement along with a Motion for
7 Preliminary Approval of the Settlement on or before May 15, 2019.

8 5. In light of this progress, the parties jointly request that the Court
9 continue the stay in this matter, and set a Status Conference after May 15, 2019, so
10 that the Parties can update the Court on the date as to the status of the settlement
11 proceedings in the *Gennock* action. The parties shall, on or before one week prior to
12 the Status Conference, provide an update as to the status of the Settlement.

13 Respectfully submitted,

14 Dated: March 28, 2019

AHDOOT & WOLFSON, PC

16 By: */s/ Robert Ahdoot*
17 Trenton R. Kashima
18 *rahdoot@ahdootwolfson.com*

19 *Attorneys for Plaintiffs and the*
20 *Putative Classes*

21 Dated: March 28, 2019

DAVIS WRIGHT TREMAINE, LLP

22 By: */s/ Sean M. Sullivan*
23 Sean M. Sullivan
24 *seansullivan@dwt.com*

25 *Attorneys for Defendants*
26 *General Nutrition Centers, Inc. and*
27 *GNC Holdings, Inc. (erroneously*
28 *named as General Holdings, Inc.)*

ATTESTATION OF FILER

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual of the United States District Court for the Southern District of California, the undersigned hereby attests that all parties have concurred in the filing of this motion.

/s/ Sean M. Sullivan
Sean M. Sullivan